

REMARKS

Claims 45-52 and 56-57 are pending in this application, of which claims 45, 51 and 56 have been amended and claim 57 is newly added.

Claim 56 stands rejected under 35 USC §112, second paragraph, as indefinite.

Accordingly, claim 56 has been amended to correct the noted instances of indefiniteness, and the 35 USC §112, second paragraph, rejection should be withdrawn.

Claims 45, 50 and 52 stand rejected under 35 USC §103(a) as unpatentable over Wilz et al. in view of U.S. Patent 5,260,553 to Rockstein et al. (hereinafter "Rockstein et al.").

Applicants respectfully traverse this rejection.

Wilz et al. discloses a fully automatic bar code symbol reading system having a hand-supportable laser bar code reading device. Figs. 10, 16, 17A and 18 show a base pivotably mounting a holder 3 for a grip of an optical reader, but fails to show an arrangement in which only one end of the grip is insertably mounted in the holder, as recited in claim 45 of the instant application.

Wilz et al. fails to disclose a stand member for mounting an optical reader so that the grip extends laterally beyond a lateral side of the stand member, as shown in Fig. 65A of the instant application, and as recited in claim 50 of the instant application.

The Examiner has urged that Figs. 16 and 17 of Wilz et al. show the holder functioning as a stand member for mounting the reader such that the grip extends in a lateral direction.

Applicants respectfully disagree. Figs. 16, 17A and 17B fail to show the grip extending outside of the holder, much less extending "laterally beyond a lateral side of said stand member," as

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recited in claim 50 of the instant application.

Rockstein et al. discloses a reader having a grip, one end of which is inserted into an hole of a holder. However, the holder has no slit through which a cable of the reader can pass. The cable must pass and extend through the hole when an operator grasps the grip and moves the reader. This arrangement does not facilitate satisfactory handling, especially when inserting the grip into the hole.

The Examiner has cited Rockstein et al. for teaching a reader having a grip, one end of which extends into a holder.

Applicants respectfully disagree. The holder of Wilz et al. attaches to the reader at both ends, and there is not enough structure to permit a modification which would allow complete insertion of the grip of the reader into the holder. Furthermore, the holder of Wilz et al. is pivotably rotatable, and in some positions it would not be possible to insertably mount the grip of the reader without it falling out.

Thus, the 35 USC §103(a) rejection should be withdrawn.

Claims 46, 47 and 49 stand rejected under 35 USC §103(a) as unpatentable over Wilz et al. and Rockstein et al., and in view of McMillan (previously applied).

Applicants respectfully traverse this rejection.

As noted in Applicants' responses of December 1, 2000 and May 11, 2001, McMillan discloses a scanning system 10 having a base 14 for holding a portable hand-held scanning device 12. The base 14 holds the barrel portion 24 of the scanning device 12 such that the scanning device 12 faces downward.

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McMillan, like Wilz et al., fails to disclose that the holder section insertably mounts only one end of the grip portion of the optical reader, as recited in claim 45, from which these claims depend.

McMillan fails to disclose the "concave dent formed from a position on said base coincident with a lower end of said grip of said optical reader mounted toward the formal side of said stand," as recited in claim 46 of the instant application, because McMillan shows a horizontally extending grip, which cannot be said to have a "lower end".

Thus, the 35 USC §103(a) rejection should be withdrawn.

Claim 48 stands rejected under 35 USC §103(a) as unpatentable over Wilz et al. or modified by Rockstein et al. or McMillan and Saunders et al. (previously applied).

Applicants respectfully traverse this rejection.

Saunders et al. has been cited for teaching the jut member recited in claim 48 but, like the other cited references, fails to teach, mention or suggest that a holder section insertably mounting only one end of a grip portion of an optical reader, or recited in claim 45 of the instant application, from which claim 48 indirectly depends.

Thus, the 35 USC §103(a) rejection should be withdrawn.

The Examiner has indicated that claim 56 would be allowable if amended to overcome the 35 USC §112, second paragraph rejection, and that claim 51 would be allowable if rewritten in independent form.

Accordingly, claims 51 and 56 have been so amended.

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In view of the aforementioned amendments and accompanying remarks, claims 45-52 and 56-57, as amended, are in condition for examination, which action, at an early date, is requested.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE".

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees which may be due with respect to this paper, may be charged to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP



William L. Brooks
Attorney for Applicants
Reg. No. 34,129

Atty. Docket No. 960569C
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
Tel: (202) 659-2930
WLB:mla

Enclosures: Version With Markings To Show Changes Made
RCE
Petition for Extension of Time

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 45, 51 and 56 have been amended as follows:

45. (Twice Amended) A stand on which an optical reader, which has a read window through which scanning light is emitted and a grip enabling a user to grasp said optical reader, and which scans a mark borne by an article using scanning light emitted through said read window, detects light reflected from said mark, and thus reads information, is mounted, comprising:

a holder section in which only one end of said grip is insertably mounted so that said grip can be dismounted freely; and

a base for supporting said holder section so that said holder section can pivot;

said holder section having a slit, through which a cable coupled with said optical reader can pass[, on the same side thereof as the side of said optical reader having said read window].

51. (Amended) A stand [according to claim 50, further comprising:] on which an optical reader, which includes a read window through which scanning light is emitted and a grip enabling a user to grasp said optical reader, and which scans a mark borne by an article using scanning light emitted through said read window, detects light reflected from said mark, and thus reads information, is mounted, comprising:

a stand member on which said optical reader is mounted in such a manner that said grip of said optical reader extends laterally beyond a lateral side of said stand member;

a holder section in which said grip is mounted so that said grip can be dismounted freely;
and

a base for supporting said holder section so that said holder section can pivot[;],

said stand member having a tongue, which is inserted into said holder section so that said tongue can be removed freely, on a bottom thereof.

56. (Twice Amended) An optical unit, comprising:

an optical part having first and second stems formed coaxially on opposite edges thereof and a third stem formed in parallel with said second stem on one of the edges thereof; and

a frame on which said optical part is mounted, and which includes a first [slit-like] bearing having a slit shape into which said first stem is fitted, a second bearing into which said second stem is fitted, and a third elongated bearing into which said third stem is fitted and which forms an arc with said second bearing as a center.